

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the said article, to wit, butterfat, had been in part abstracted therefrom.

On July 18, 1924, the Lenters-Stenger Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department to contain not less than 80 per cent of milk fat and not more than 16 per cent of water.

HOWARD M. GORE, *Secretary of Agriculture.*

12446. Adulteration of butter. U. S. v. 40 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 18816. I. S. No. 13276-v. S. No. E-4874.)

On July 10, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 40 tubs of butter remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Hazel Green Creamery Co. from Ryan, Iowa, June 10, 1924, and transported from the State of Iowa into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted in part for the said article. Adulteration was alleged for the further reason that a valuable constituent, butterfat, had been in part abstracted from the article.

On July 22, 1924, the Hazel Green Creamery Co., Delhi, Iowa, claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*

12447. Adulteration and misbranding of Madagascar Lima beans. U. S. v. 23 Bags of Madagascar Lima Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18298. I. S. No. 9311-v. S. No. C-4278.)

On or about February 14, 1924, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 23 bags of Madagascar Lima beans remaining in the original unbroken packages at Concordia, Kans., alleging that the article had been shipped by N. Abramovitz & Co., New York, N. Y., on or about November 7, 1923, and transported from the State of New York into the State of Kansas, and charging adulteration and misbranding, in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the article was food in package form and the contents was not plainly and conspicuously marked on the outside of the package.

During the month of June, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*